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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Burgess et al.

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TITLE:

METHODS OF STERILIZING BIOLOGICAL MIXTURES

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USING STABILIZER MIXTURES

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1415

THIRD-PARTY SUBMISSION PURSUANT TO 37 C.F.R. §1.99

Sir:

Pursuant to 37 C.F.R. § 1.99, copies of the references listed below are submitted herewith for consideration by the Office in captioned Burgess et al. U.S. patent application publication US 2003/006400 A1, published April 3, 2003.

These publications and patents could not have been sent to the Office earlier and are accompanied by the processing fee of \$130.00 Pursuant to 37 C.F.R. § 1.17(i).

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01 FC:1460 02 FC:1806 130.00  $\stackrel{\text{OP}}{\text{180.00 OP}}$  CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1415 on March 2, 2004.

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**5. 0M** Dated: <u>March</u> , 2004

Dany Marchael (Dm)

## REFERENCES SUBMITTED FOR CONSIDERATION

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Dziedzic-Goclawska, A., Ostrowski, K., Stachowicz, W., Michalik, J., and Grzesik, W., "Effect of radiation sterilization on the osteoinductive properties and the rate of remodeling of bone implants preserved by lyophilization and deep-freezing," *Clinical Orthopaedics and Related Research*, Vol. 272, 1991, pp. 30-37.

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Date of Publication (Grant)
November 8, 1994
April 29, 1958
November 29, 1960

Pursuant to 37 C.F.R. § 1.17(p) the fee of \$180.00 is enclosed herewith.

Pursuant to 37 C.F.R. § 1.17(i) the processing fee of \$130.00 is enclosed herewith

TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.

A copy of this paper and of the listed U.S. patents are being concurrently served on applicants' attorney indicated in the subject published application in compliance with 37 C.F.R. § 1.248(b).

Respectfully submitted,

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Dated: March 4, 2004

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## **PROOF OF SERVICE**

The undersigned hereby certifies that a copy of the papers attached hereto and a copy of the references cited therein were served upon applicant's attorney, Fleshner & Kim, LLP, P.O. Box 221200, Chantilly, VA 20153-1200, by transmission via first class mail on March 2, 2004.

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Dated: March 1, 2004

Donny Majahad Dorry Majahad